

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Kutryk et al.  
Serial No. : 09/808,867  
Filed : March 15, 2001  
For : MEDICAL DEVICE WITH COATING THAT  
PROMOTES CELL ADHERENCE  
Examiner : Urmi Chattopadhyay  
Group Art Unit : 3738

**RECEIVED  
CENTRAL FAX CENTER****AUG 31 2005**

**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8**  
I hereby certify that this paper is being facsimile  
transmitted to the U.S. Patent and Trademark Office  
on August 31, 2005 at the facsimile number  
1-571-273-8300.

John M. Genova 32,224

Attorney Name PTO Reg. No.

John M. Genova 31 August 2005

Signature

Date of Signature

Mail Stop AF  
Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

Attn: Examiner Urmi Chattopadhyay  
Facsimile: 1-571-273-8300  
Pages: 3 pages total

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. §1.191)**

Sir:

Applicants hereby appeal to the Board from the decision of the Primary Examiner, mailed March 1, 2005, finally rejecting claims 1, 2, 4, 5, 7-9, 18, 20-25, 27, 29-32, 38, 39, 63-65, 67, 68, 70-72 and 74-76. The item(s) below are appropriate:

09/01/2005 MBINAS 00000022 231703 09000067

01 FC:2401 250.00 DA  
02 FC:2254 795.00 DA

**RECEIVED  
CENTRAL FAX CENTER**

AUG 31 2005

## 1. STATUS OF APPLICANTS

This application is on behalf of a small entity.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.17(b), the fee for filing the Notice of Appeal is \$250.00.

## 3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

(a) ☒ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1-4)) for the total number of months checked below:

Extension (months)	Small Entity Fee
<input type="checkbox"/> one month	\$60.00
<input type="checkbox"/> two months	\$225.00
<input checked="" type="checkbox"/> three months	\$795.00
<input type="checkbox"/> four months	\$1,080.00

Fee \$795.00

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for \_\_\_\_\_ month has already been secured by the Amendment after Final, filed \_\_\_\_\_. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.Extension fee due with this request \$795.00

or

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

## 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 250.00Extension fee (if any) \$ 795.00TOTAL FEE DUE \$ 1,045.00

FROM W&C LLP 19TH FL.

(WED) 8. 31' 05 11:31/ST. 11:30/NO. 4260454480 P 3

USSN 09/808,867, filed: March 15, 2001  
Attorney Docket No.: 1133279-0003  
Page 3 of 3

5. FEE PAYMENT

☐ Attached is a check in the sum of \$ \_\_\_\_.

☒ Charge Account No. 23-1703 the sum of \$ 1,045.00.

6. FEE DEFICIENCY

☒ If any additional extension and/or fee is required, charge Account No. 23-1703.

AND/OR

☐ If any additional fee for claims is required, charge Account No. 23-1703.

Dated: August 31, 2005

Respectfully submitted,



John M. Genova

Reg. No. 32,224

Customer No. 007470

(212) 819-8832